

May 22, 2012

To: Thomas J. Bonfield, City Manager
Through: G. Keith Chadwell, Deputy City Manager
From: Reginald J. Johnson, Interim Director
Department of Community Development
Subject: Interlocal Agreement with Durham County Regarding Homeless Services and
the Homeless Services Advisory Committee

Executive Summary

In 2011, the City of Durham and Durham County agreed to reorganize the leadership structure of the “Ten Year Results Plan to End Homelessness in Durham,” to rename the initiative “Opening Doors in Durham to Prevent and End Homelessness” (Opening Doors), and to bring the management of the homeless effort within City and County government. A new body, the Homeless Services Advisory Committee, was formed to provide leadership to the initiative and advisory guidance to the City Council and Board of County Commissioners on matters related to programs, policies, proposals, and priorities for all homeless services for the City and County.

The Interlocal Agreement was developed to clarify the responsibilities of the Committee for leading the Opening Doors initiative, the joint and individual responsibilities of the City of Durham and Durham County regarding efforts to address homelessness, and the relationships between the Homeless Services Advisory Committee and the local governments.

Recommendation

The Department of Community Development recommends that the City Council approve the Interlocal Agreement with Durham County regarding homeless services and the Homeless Services Advisory Committee.

Background

In the first half of the previous decade, the federal government encouraged local communities to implement effective, research-tested, solutions to homelessness by developing and implementing “Ten Year Plans to End Homelessness.” Leaders of Durham’s homeless housing agencies coordinated a two-year community planning process and the Durham City Council and the Board of County Commissioners of Durham County adopted “The 10 Year Results Plan to End Homelessness in Durham” in 2006.

In 2007, the Durham Affordable Housing Coalition was awarded an implementation contract, jointly and equally funded by the City of Durham and Durham County, and an “Executive

Committee” was formed to provide oversight to implementation. In 2010, the City and the County decided not to renew the annual contract with the housing coalition and to reorganize the leadership and implementation effort. In March 2011, the local governments agreed to bring implementation efforts into the departments of City and County government as designated by the respective Managers and to reorganize the Executive Committee. The new entity was named the Homeless Services Advisory Committee (HSAC). The established mission of the Committee is “to advise the Durham City Council and the Durham Board of County Commissioners on the implementation of collaborative initiatives to prevent and end homelessness in Durham.”

The Committee began meeting regularly in August 2011. Within a few months, members of the Committee began to express a need for greater clarity on its responsibilities, structure, and its relationship to the local governments. The Committee Chair, Mayor Pro Tem Cora Cole-McFadden, appointed a subcommittee at the November 7, 2011 meeting “to begin the drafting of the by-laws and inter-local agreement,” according to the meeting minutes. The subcommittee, chaired by Vice-Chair Robert “Bo” Glenn, drafted the attached Interlocal Agreement and amended it in response to guidance received from the County Attorney and the City Attorney. The entire Committee agreed to forward the Interlocal Agreement to the Governing Bodies for their approval at its April 25, 2012 meeting.

Issues and Analysis

The Interlocal Agreement clearly establishes and defines the role and responsibilities of the Homeless Services Advisory Committee (HSAC) to provide guidance and leadership for the Durham community’s collaborative efforts to address homelessness. The creation of the HSAC establishes an entity in Durham that has delegated responsibility to guide strategic planning, and help establish performance goals and monitor performance, and lead collaborative implementation efforts. It also clearly defines the joint and individual responsibilities of each of the local governments in their efforts to prevent homelessness and rapidly return people who do experience homelessness to stable housing. Effectively and efficiently addressing homelessness requires collaboration among a wide variety of community stakeholders: local governments; service, domestic violence, and housing providers; physical, mental, and substance abuse health care providers; youth and foster care providers, Departments of Corrections and Justice, and law enforcement; veterans’ representatives; education, academic, and research communities; public housing authorities; the philanthropic sector; faith-based communities; private businesses; landlords; and homeless people themselves. A desired and primary outcome of this collaboration is that persons needing these services can access them as easily as possible, and in a manner that an array of services is delivered that is responsive to the circumstances as assessed.

The federal Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act requires that a local Continuum of Care (CoC) community establishes a “primary decision making body” that fulfills specific duties and responsibilities of the Act. Durham is a CoC community, and the Interlocal Agreement also establishes the HSAC as the Durham CoC’s primary decision making body for the fulfillment of the “specific duties and responsibilities imposed by the HEARTH Act.” This includes approving applications for CoC Homeless Grants Competition.

The agreement further notes that, “Other than these duties and responsibilities, the Committee is an advisory board and shall have no authority to enforce federal, state, or local laws or ordinances and their regulations.”

Alternatives

Federal requirements and operational imperatives require the existence of a coordinating entity to administer services compliantly and in a systematic fashion. The decision to create the HSAC was the result of vigorous deliberations that were led by the local governments and some community stakeholders. If this recommendation were not adopted, similarly structured deliberations would need to resume for the purpose of considering the use of existing agencies, or the creation of another entity to fulfill the required role or purpose.

Financial Impact

The Agreement states that “the City and County agree to split the total costs of implementing Opening Doors in Durham and this agreement as equally as possible, as determined by the City and County Managers.” Adoption of the Agreement would not change previous decisions of the City Council and Board of County Commissioners to share the total costs of implementing Opening Doors in Durham equally nor would it increase implementation costs.

SBDE Compliance

The Office of Equal Opportunity/Equity Assurance has been consulted and agreed that compliance is not relevant for the Agreement.

Attachment: Interlocal Agreement